

Serial No.: 10/757,708

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Derek O'Hagan

Serial No.: 10/757,708

Filed: 01/14/04

Title: MICROPARTICLES WITH ADSORBED POLYNUCLEOTIDE-CONTAINING
SPECIES

Art Unit: 1633

Examiner: Popa, Ileana

Confirm. No.: 3852

Docket No.: PP-19768.002

VIA FACSIMILE 571-273-8300

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION UNDER 1.136(a) AND AMENDMENT AND RESPONSE
TO FINAL OFFICE ACTION**

Sir:

This response is submitted in reply to the Final Office Action mailed January 4, 2007. A Notice of Appeal was filed July 9, 2007 along with a Request for a Pre-Appeal Brief Conference. In the Notice of Panel Decision mailed August 21, 2007, the Pre-Appeal Brief Conference panel found that there is at least one actual issue for appeal. Accordingly the time period for filing an Appeal Brief is one month from the mailing of the Notice of Panel Decision for Pre-Appeal Brief Review, or September 21, 2007. Applicant hereby requests a two-month extension of time. Thus, this response is due November 21, 2007 and is being timely filed. A Request for Continued Examination (RCE) is filed herewith.

Please consider the following Amendments and Remarks: